IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45762 of 2026

CNR No. BRHC010659282026

Arising Out of PS. Case No.-288 Year-2023 Thana- SHAHKUND District- Bhagalpur

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Raja Sah Son of Rohan Sah @ Rohin Sah Resident of Village - Chhoti Chandpur, P.S.- Sajour (Shahkund), District - Bhagalpur (Bihar)

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Md. Nurul Hoda, Advocate
For the Opposite Party/s : Mr. Rajesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

7 27-10-2026 Heard learned counsel for the petitioner and learned APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Shahkund (Sajour) P.S. Case No. 288 of 2023 instituted for the offence under Section 365 of the Indian Penal Code.

3. The prosecution case, in brief, is that the informant alleged that his daughter had married the petitioner out of her own desire in a love marriage and was residing with him at his matrimonial home. It is further alleged that his daughter and petitioner had been missing since 21.06.2023, their mobile phones were unresponsive, and the informant suspected that unknown persons had kidnapped them.

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4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 12.04.2026. Petitioner bears no criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is not named in the FIR. Name of the petitioner has transpired during investigation. It is submitted that petitioner is the husband of the victim, who died in rail accident for which U.D. Case No. 03 of 2023 was registered. Learned counsel for the petitioner submits that petitioner and deceased had solemnized love marriage against the desire of their parents and relationship between them was very sweet and co-operative.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that four out of seven prosecution witnesses have been examined in this case, which is evident from a report dated 28.09.2026, received from the Court below.

7. Considering the aforesaid facts and circumstances of the case as also taking into account the fact that trial is in progress, this Court is not inclined to grant bail to the petitioner. Prayer for grant of bail to the petitioner is hereby ***rejected***.

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8. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments preferably within a period of two months.

9. However, petitioner will be at liberty to renew his prayer for bail in the Court below, if the trial is not concluded within a period of two months from the date of receipt/production of a copy of this order.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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